

DOCUMENT RESUME

ED 420 958

EC 306 530

TITLE Functional Behavioral Assessment State Policies and Procedures. Quick Turn Around (QTA) Forum.

INSTITUTION National Association of State Directors of Special Education, Alexandria, VA.

SPONS AGENCY Department of Education, Washington, DC.

PUB DATE 1998-06-00

NOTE 4p.

CONTRACT H159K70002

PUB TYPE Information Analyses (070) -- Opinion Papers (120)

EDRS PRICE MF01/PC01 Plus Postage.

DESCRIPTORS *Behavior Disorders; *Compliance (Legal); *Disabilities; Educational Legislation; *Educational Policy; Federal Legislation; National Surveys; *Policy Formation; Student Evaluation; Technical Assistance

IDENTIFIERS *Functional Assessment; Individuals with Disabilities Education Act

ABSTRACT

This brief report provides an analysis of survey data collected from 45 states and territories about policies, procedures, and guidelines related to Functional Behavioral Assessment (FBA), plans to develop or revise policy in this area, and technical assistance needs related to FBA, especially for students who exhibit behavior that interferes with the educational process. Background information notes requirements of the Individuals with Disabilities Education Act 1997 amendments (IDEA 97) to conduct an FBA within ten days of taking a disciplinary action. Among findings of the survey were: 19 states and jurisdictions currently have written policies, procedures and guidelines related to FBA; 35 states and territories reported plans to develop or revise written policies, procedures, and guidelines related to FBA; the most commonly identified topic areas in policy development were procedures for conducting an FBA and FBA related to a disciplinary action. The type of assistance most frequently cited as useful were examples of FBA policies, procedures, and guidelines from other states and model policies. (DB)

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Quick Turn Around

Forum

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QTA - a brief analysis of a critical issue in special education

Issue: **Functional Behavioral Assessment
State Policies & Procedures**

Date: **June 1998**

Purpose of this QTA

This QTA is a brief analysis of survey data collected from 45 states and territories about policies, procedures and guidelines related to Functional Behavioral Assessment (FBA), plans to develop or revise policy in this area, and technical assistance needs related to FBA. The last page is a table of all survey responses.

Background

Students who exhibit behavior that interferes with the educational process have long challenged and frustrated educators. However, school violence, especially involving weapons and drugs, has brought the issue of disruptive behavior into the public arena. In response to concerns about safety in our schools and the provision of free appropriate public education (FAPE) for students with disabilities, the Individuals with Disabilities Education Act Amendments of 1997 (hereafter IDEA '97) explicitly address the issue of discipline.

For students with disabilities, IDEA '97 now requires that the local educational agency (LEA) conduct a FBA either before or not later than 10 days after taking a disciplinary action if such an assessment had not been done prior to the behavior that resulted in the

disciplinary action. This new requirement reflects the importance of understanding the student's behavior and its effect on learning.

The assessment of student behavior is not a new concept or practice. Many states have policies and procedures related to assessment of student behavior; however, the use of the term FBA in the law, the Federal requirement to conduct an FBA as part of the student disciplinary procedure, and the fact that the term FBA has varied meanings is generating many questions for policy makers, administrators and practitioners.

Project FORUM Survey

As part of Project FORUM's work on its new cooperative agreement with the U.S. Department of Education's Office for Special Education Programs (OSEP), all states and territories were surveyed regarding the following: (1) existing policies, procedures or guidelines related to assessment of student behavior, (2) state plans to develop or revise policy, procedures or guidelines in this area, and (3) desired assistance in this area. The survey was designed to determine the status of state policy development in this area, to facilitate the sharing of information across states and territories, and to assess technical assistance needs in the area of FBA.

This document is available in alternative formats. For details, please contact Project FORUM staff at 703-519-3800 (voice) or 703-519-3801 (TDD).

The survey was conducted in the months of February and March, 1998. Forty-five (45) states and territories¹ responded to the survey.

Existing State Policies

Of the 45 responding states and jurisdictions, 19 currently have written policies, procedures and guidelines related to the assessment of student behavior. The states include: Alabama, Arkansas, Arizona, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Kentucky, Louisiana, Minnesota, Oklahoma, Oregon, Pennsylvania, Rhode Island, and West Virginia. The Department of Defense Dependents Schools and Guam also have written policies, procedures or guidelines in this area.

Plans to Develop Policy

A total of 35 states and territories reported having current plans to develop or revise written policies, procedures or guidelines related to FBA that are consistent with the requirements of IDEA '97. Four states (Alabama, Arkansas, Arizona and Maryland) have already begun planning for, or are in the process of, drafting such documents.

When asked to identify the specific topic area(s) in which policy development and revision are planned or occurring, the most frequently selected were: procedures for conducting an FBA (n=29) and FBA related to a disciplinary action (n=27). Three other specific topic areas frequently identified were: behavioral interventions following an FBA

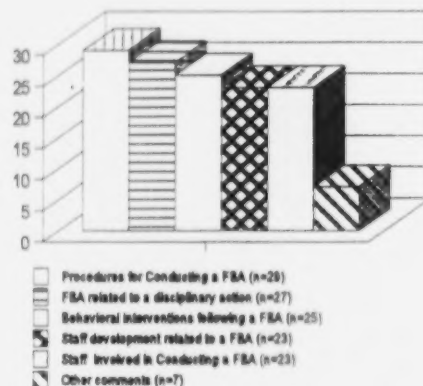
(n=25), staff development and technical assistance to LEAs related to FBA (n=23), and staff involved in conducting an FBA (n=23).

Examples of other areas where policy development is planned include: FBA as part of the evaluation process and time frame for updating the FBA. New Mexico and New York indicated that their state regulations will be amended in this area.

California's policy will be more in-depth than the Federal requirements and will address functional analysis for students with Severe Emotional Disturbance (SED) and Severe Behavior Disorder (SBD) related to other than suspension and expulsion.

The chart below illustrates the specific topic areas identified:

Areas of Policy Development or Revision



Types of Assistance

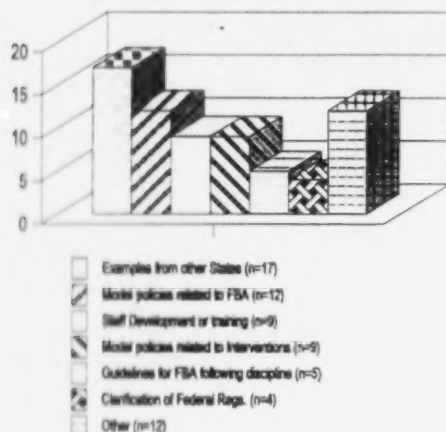
The type of assistance most frequently noted as useful by states and territories was examples of policies, procedures, and guidelines from other states on FBA (n=17). Respondents also indicated the usefulness of

¹ AL, AK, AZ, AR, CA, CO, CT, DE, FL, GA, ID, IL, IN, IA, KS, KY, LA, MA, MD, MI, MN, MO, MT, NE, NH, NJ, NM, NY, ND, OH, OK, OR, PA, RI, TN, UT, VT, WV, WI, WY, American Samoa, Guam, Puerto Rico, Virgin Islands, Department of Defense Dependent Schools.

model policies, procedures and guidelines on FBA (n=12) and behavioral interventions (n=9). Technical assistance related to staff development or training was noted by nine (n=9) respondents, and guidelines for FBA following disciplinary action was noted by five (n=5). Four (n=4) indicated the need for clarification of Federal policy on FBA. Twelve respondents noted other types of technical assistance, including information on research and studies on FBA (n=4). (Refer to survey data on page 4 of this QTA).

The following chart illustrates the types of assistance most frequently listed as useful by the states and jurisdictions:

Types of Assistance Needed by States



Summary and Conclusions

At least 35 states and territories are either in the process of or planning to develop policy, procedures and/or guidelines related to assessment of student behavior that reflect the IDEA '97 requirement for an FBA.

The most common areas being addressed in policy development are procedures for conducting an FBA, FBA related to a disciplinary action, behavioral interventions following an FBA, staff development and technical assistance to LEAs related to FBA, and staff involved in conducting an FBA.

As states and territories tackle this challenging area of policy development and revision, the type of assistance respondents indicated would be most useful is examples of policies, procedures and guidelines from other states on FBA and behavioral interventions.

This brief analysis serves to provide the Federal government and the states with a quick overview of the status of policy development in the area of FBA. States may wish to contact other states directly to confer with them on the progress of their efforts and the challenges they have encountered. (Refer to survey data on page 4 of this QTA). Future technical assistance activities and documents will be guided by this brief analysis.

The following recently released document, though not approved by the U.S. Department of Education, provides further information on the topic of policy development related to FBA:

Tilly III, W.D., Knoster, T.P., Kovaleski, J., Bambara, L., Dunlap, G., & Kincaid, D. (March 1998). *Functional Behavioral Assessment: Policy Development in Light of Emerging Research and Practice*. Alexandria, VA: The National Association of State Directors of Special Education.

This report was supported in whole or in part by the U.S. Department of Education (Cooperative Agreement No. H159K70002). However, the opinions expressed herein do not necessarily reflect the position or policy of the U.S. Department of Education, and no official endorsement by the Department should be inferred.